

UNITED STATES DISTRICT COURT  
 FILED  
 IN CLERK'S OFFICE  
 District of MASSACHUSETTS

GUCCI AMERICA, INC.

2004 JUL -2 P 2:08

V.

U.S. DISTRICT COURT **SUMMONS IN A CIVIL CASE**  
 DISTRICT OF MASS.

SMART BARGAINS, INC., SMART BARGAINS  
 SECURITY CORPORATION AND  
 SMARTBARGAINS.COM

CASE NUMBER:

**04 10492 DPW**

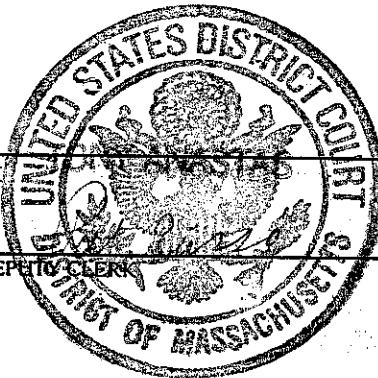
TO: (Name and address of Defendant)

SMARTBARGAINS.COM, LP  
 10 MILK STREET, 10TH FLOOR  
 C/O SMART BARGAINS, INC.  
 BOSTON, MA 02108

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

MARK SCHONFELD  
 BURNS & LEVINSON LLP  
 125 SUMMER STREET  
 BOSTON, MA 02110

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.



(By) DEPUTY CLERK

3-11-09

DATE

## RETURN OF SERVICE

Service of the Summons and Complaint was made by me (1)

DATE

June 25, 2004

NAME OF SERVER

BURTON M. MALKOFSKY

TITLE

Process Server / A Disinterested Person

Check one box below to indicate appropriate method of service

 Served personally upon the defendant. Place where served:

, MASSACHUSETTS

 Left copies thereof at the defendant's dwelling or usual place of abode with a person of suitable age and discretion then residing therein. Name of person whom the summons and complaint were left:

Said service was made at: \_\_\_\_\_, MASSACHUSETTS

 Other: By handing true and attested copies thereof to Ms. Marguerite Hill, General Counsel and ResidentDuly Authorized Agent for the within-named Defendant, Smartbargains.com, LP.

Said service was made at:

10 Milk Street, 10th Floor, Boston

, MASSACHUSETTS

## STATEMENT OF SERVICE FEES

SERVICE FEE \$ 10.00 Trips

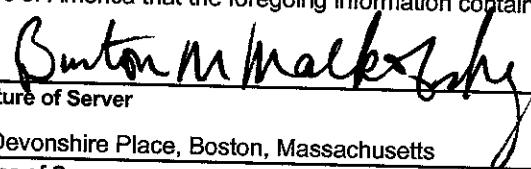
## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on June 25, 2004

Date

Signature of Server

One Devonshire Place, Boston, Massachusetts  
Address of Server

## ADDITIONAL INFORMATION

PLEASE NOTE THAT IT WAS NECESSARY TO MAKE \_\_\_\_ ATTEMPTS BEFORE MAKING PROPER SERVICE.

Date Time Remarks

FEE

\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_

TOTAL

\$ \_\_\_\_\_

(1) As to who may serve a summons see Rule 4 to the Federal Rules of Civil Procedure.